

FIRST REGULAR SESSION

SENATE BILL NO. 73

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Pre-filed December 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0583S.01I

AN ACT

To repeal section 578.009, RSMo, and to enact in lieu thereof one new section relating to animal neglect, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 578.009, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 578.009, to read as follows:

578.009. 1. A person is guilty of animal neglect when [he] **such person**
2 has custody or ownership or both of an animal and **negligently** fails to provide
3 adequate care or adequate control[, which results in substantial harm to the
4 animal].

5 2. A person is guilty of abandonment when he has knowingly abandoned
6 an animal in any place without making provisions for its adequate care.

7 3. Animal neglect and abandonment is a class C misdemeanor upon first
8 conviction and for each offense[, punishable by imprisonment or a fine not to
9 exceed five hundred dollars, or both], and a class B misdemeanor [punishable by
10 imprisonment or a fine not to exceed one thousand dollars, or both upon] **for** the
11 second and all subsequent convictions. All fines and penalties for a first
12 conviction of animal neglect or abandonment may be waived by the court provided
13 that the person found guilty of animal neglect or abandonment shows that
14 adequate, permanent remedies for the neglect or abandonment have been
15 made. Reasonable costs incurred for the care and maintenance of neglected or
16 abandoned animals may not be waived. This section shall not apply to the
17 provisions of section 578.007.

18 4. In addition to any other penalty imposed by this section, the court may
19 order a person found guilty of animal neglect or abandonment to pay all

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 reasonable costs and expenses necessary for:

21 (1) The care and maintenance of neglected or abandoned animals within
22 the person's custody or ownership;

23 (2) The disposal of any dead or diseased animals within the person's
24 custody or ownership;

25 (3) The reduction of resulting organic debris affecting the immediate area
26 of the neglect or abandonment; and

27 (4) The avoidance or minimization of any public health risks created by
28 the neglect or abandonment of the animals.

Unofficial

Bill

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